

REMARKS

Claim Status

Claims 1 – 11 and 13 – 52 are pending in the present application. No additional claims fee is believed to be due.

Independent Claims 1 and 40 have been amended. Support for the amendments can be found on *inter alia*, page 12, lines 20 - 30 of the Specification.

Dependent Claims 2 – 8, 15 – 39 and 41 – 52 are original.

Dependent Claim 9 is currently amended to correct a typographical error.

Dependent Claims 10 and 11 are currently amended so that they conform to the amendment made to Claim 1, from which they each depend.

Dependent Claim 12 was previously canceled.

Dependent Claims 13 and 14 are canceled herein.

Applicants believe that these changes do not involve any introduction of new matter. Consequently, Applicants believe that entry of these changes is in order and respectfully request the same.

Rejection Under 35 USC §103(a) Over Everhart In View of Al-Sabah and Eppstein

Claims 1 – 11 and 13 – 52 as previously presented were rejected in the Office Action dated 10/18/07 under 35 USC §103(a) as being unpatentable over U.S. Pat. No. 5,468,236 to Everhart et al. in view of U.S. Pat. No. 5,868,723 to Al-Sabah and U.S. Pat. No. 5,458,140 to Eppstein et al.

Claims 13 and 14 are canceled herein.

Regarding Claims 1 – 11 and 15 – 52, Applicants respectfully submit that the amendments herein render the grounds for rejection moot. None of the cited references alone or in combination teach a disposable article to be fitted to a wearer comprising a

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biosensor including at least one bio-recognition element adapted to interact selectively with one or more pathogenic microorganisms present in bodily waste or on the wearer's skin, the biosensor also being adapted to provide a signal of detection of the one or more pathogenic microorganisms (as required by independent Claims 1 and 40, as amended herein).

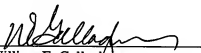
Accordingly, Applicants respectfully request that the rejection of claims 1 – 11 and 15 – 52 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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